

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

The Examiner's attention is drawn to the attached copies of EPO Examination Reports issued with respect to a counterpart EPO application as well as a PTO-1449. The IDS fee for this stage of prosecution is also attached.

The Notification of Acceptance dated 23 July 2001 indicates that the Examiner has already received the International IPER and the International Search Report and a copy of all references cited therein.

Official consideration and citation of the information newly cited herewith is respectfully solicited.

The rejection of claim 11 under 35 U.S.C. §112, second paragraph has been mooted by the cancellation of all original claims in favor of new claims 28-50 which have been drafted in an effort to follow established US formality practices.

Accordingly, all outstanding formal issues are now believed to have been resolved in the applicant's favor.

The rejection of claims 1-27 under 35 U.S.C. §103 as allegedly being made "obvious" based on Melen '646 in view of Green '084 is respectfully traversed.

Melen does not monitor the use of a logical connection as a logical connection is not automatically generated when a user wishes to receive content. In Melen, a logical connection over which the user can receive content is only created if the user has certain access rights.

Melen accordingly addresses the problem of how to provide a user with flexible access rights and how to generate appropriate charging data. In Melen, a special default interface is provided to enable the user to pay only for actual use of the connection to receive content (see page 4, paragraph 6).

The applicant's invention, in contrast, provides a solution to the problem of how to bill a user for actual use of a logical connection regardless of whether they already have access rights or not (for example, a user who already has access rights could include a user who has a permanent "always-on" connection such as a broadband connection). Under the scheme Melen describes, the user would be billed from the point at which the access rights are verified, regardless of whether the user actually makes any use of the connection formed.

In the claimed invention, the user needs to have actually formed an end-to-end connection enabling content to be received over the communications link established with the server and the user needs to start using the end-to-end connection to receive content to trigger the generation of billing data. the invention has the added advantage that the billing scheme provided can be used even if no firewall needs to be negotiated prior to the user receiving content. Paragraph 2, page 14 describes that when a user has activated the client and included the information of the desired segment 22, router controller 56 transmits back a notification, e.g., of changes in the billing information. The final paragraph on page 14 of Melen describe how the

information collected about the segment 22 can include an IP address of the user, or the starting and end times of the connection such as the Toll-ticket record. However, the start and end times of the connection recorded by a Toll-ticket record are not determined by monitoring the actual use of the plurality of logical end-to-end connections in the manner of the claimed invention.

Accordingly, Melen fails to teach the features of monitoring changes in the state of logical connections between the user's computer system and for a computer system arranged to provide the user with content, wherein the use of the logical connections provides said content to said user and creating charging data when the use of the communications link causes one of said monitored logical connections to change its state by being generated and/or terminated.

Given the problem of how to charge a user for the actual content they receive from a server, it is submitted that it would be have been obvious for a person ordinarily skilled in the art to realize that they could monitor the changes in states of the various logical connections that set up a communications link in such a manner that any need to negotiate a firewall was circumvented.

Green et al. clearly state in the abstract that a proxy is part of a firewall program that controls exchanges of information between two application entities. It is quite clear from the abstract, 4th paragraph, that the proxy interfaces with networking software to monitor connection requests and that the requestor's and server's address are checked against an access control list. Column 9, line 66 to column 10, line 3, simply describe how the bridge proxy operates directly over the TCP/IP protocol stack to interface with TCP/IP using the socket library such that the TCP/IP stack listens for TCP connection requests to any IP address on any specific port.

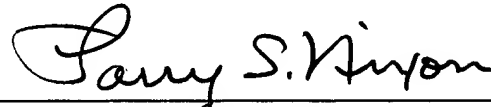
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Nothing in Green teaches that in the absence of any authentication steps, it is possible to generate billing data based on the monitored changes in state of the individual socket connections forming a logical communications link.

Accordingly, this entire application is now believed to be allowable condition and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

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AMENDMENTS TO THE DRAWINGS

Proposed drawing amendments are shown in red on an attached copy of Figures 1-3.

New sheets of drawings incorporating these charges are also attached.

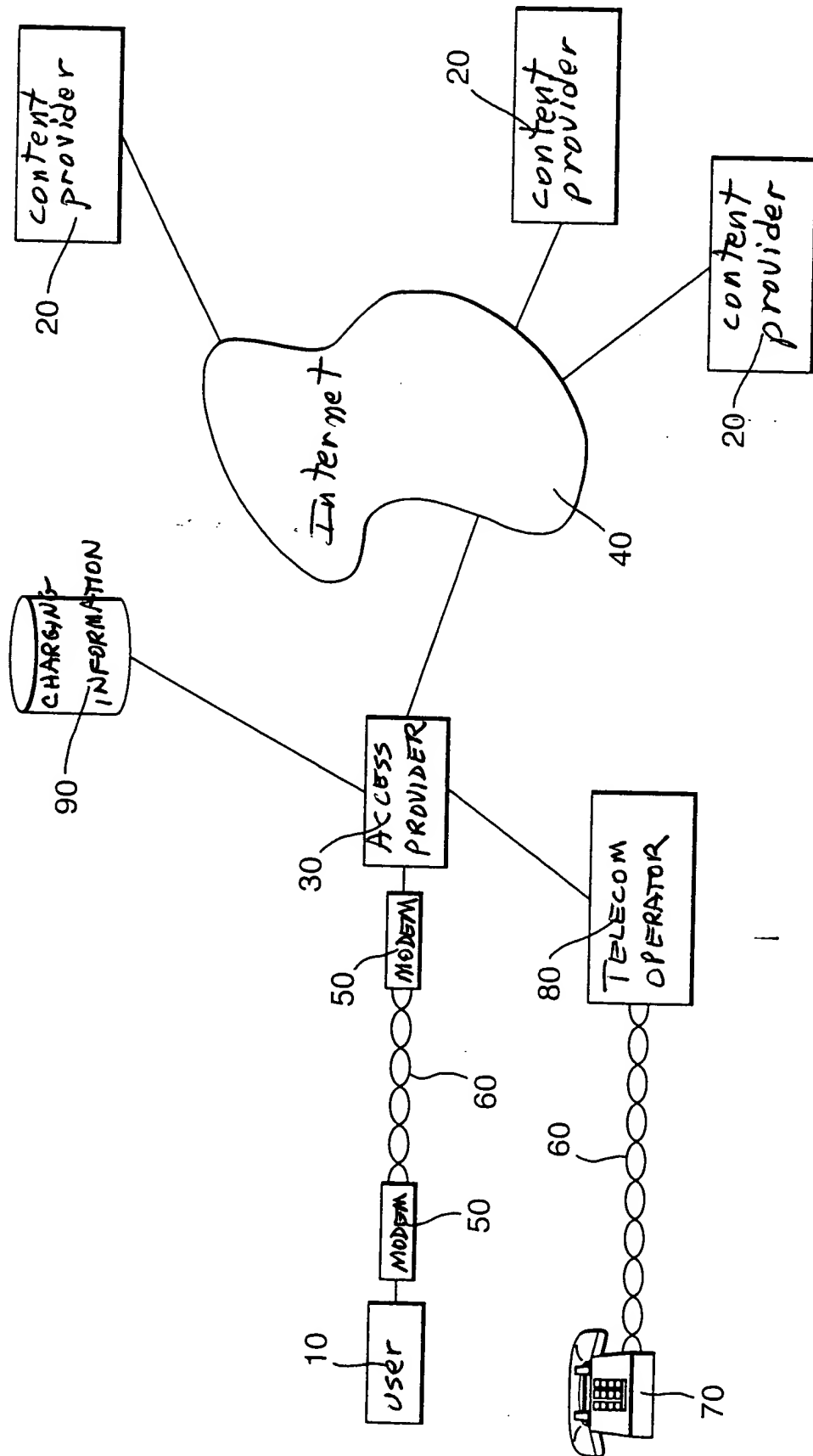
Attachment: Replacement Sheet(s)
Annotated Sheet Showing Changes



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PROPOSED DRAWING AMENDMENTS
FOR SN 09/868,245

Fig. 1
(PRIOR ART)





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PROPOSED DRAWING AMENDMENTS

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Fig.2.

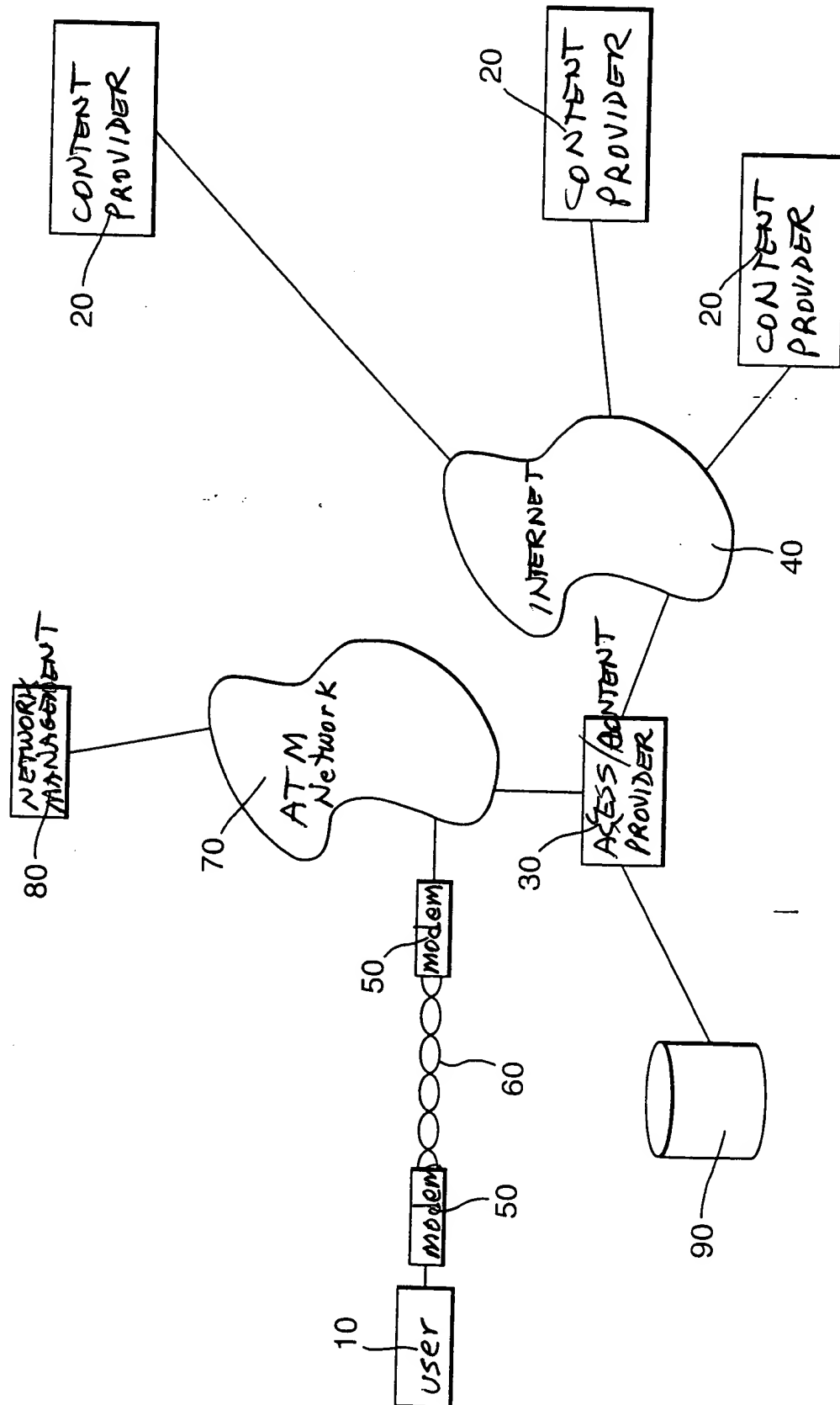




Fig.3.

